

**INFORMATION SHEET**  
**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE**  
**WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF**  
**NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Kansas City District

**FILE NUMBER:** 200501235

**REGULATORY PROJECT MANAGER:** Donahue **Date:** 09 Aug 2005

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office (Y/N) **Date:**  
 At the project site (Y/N) **Y** **Date:** 09 Aug 2005

**PROJECT LOCATION INFORMATION:**

State: Missouri

County: Jackson

Center coordinates of site by latitude & longitudinal coordinates: Lat: 38.98 Long: 94.330

Approximate size of site/property (including uplands & in acres): 180 acres

Name of waterway or watershed: Tributaries of Lake Jacomo and East Fork Shoal Creek

**SITE CONDITIONS:**

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type) farm ponds/wetland 1, 2, 3 & 4	4 each								

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup> :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:**

Preliminary ☐ Or Approved ☒

**OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):** Site visit revealed no clear jurisdictional channel with an OHWM below any of the 4 ponds. All ponds are located at the very top of two separate watersheds, with ponds 1 & 2 on northern facing slope to the East Fork of Shoal Creek and ponds 3 and 4 on a south facing slope to Lake Jacomo. All the ponds are located outside the confined drainage lines indicated on the USGS topographic map for the area. Ponds 3 and 4 are located at the extreme upper reach of drainages to Lake Jacomo. Past and present agricultural practices and the construction of Woods Chapel Road have likely modified the original slope and grading in the area. No defined stream channel or OHWM is visible above or below ponds 3 and 4.